

ALABAMA DEPARTMENT OF ENVIRONMENTAL MANAGEMENT

Air Division

Chapter 335-3-3
Control of Open Burning and Incineration

Table of Contents

335-3-3-.01	Open Burning.
335-3-3-.02	Incinerators.
335-3-3-.03	Incineration of Wood, Peanut, and Cotton Ginning Wastes.

335-3-3-.01 Open Burning.

- (1) No person shall ignite, cause to be ignited, permit to be ignited, or maintain any open fire except as follows:
 - (a) Open fires for the cooking of food for human consumption on other than commercial premises;
 - (b) Fires for recreational or ceremonial purposes;
 - (c) Fires to abate a fire hazard, providing the hazard is so declared by the fire department or fire district having jurisdiction.
 - (d) Fires for prevention or control of disease or pests;
 - (e) Fires for training personnel in the methods of fighting fires, provided that all requirements of ADEM Admin. Code R. 335-3-11-.02(12) are met;
 - (6) Fires for the disposal of dangerous materials where there is no practical alternate method of disposal and burning is approved by the Director;
 - (f) Fires set for recognized agricultural, silvicultural, range, and wildlife management practices;
 - (h) Fires set in salamanders or other devices utilizing only wood, vegetation, coal, propane, kerosene, fuel oil or used oil (used oil as defined in ADEM Admin Code Chapter 335-14-17 as fuel, and used by construction or other workers for heating purposes;
 - (i) Fires for the burning of trees, brush, grass, and other vegetable matter in the clearing and maintenance of rights- of-way if such burning is done by the air-curtain incinerator method, properly constructed and maintained, or by an equivalent method specifically approved by the Director. Such fires shall not be approved by the Director during the months of June, July, and August of each year in Jefferson County;
 - (j) Open fires specifically or expressly approved by the Director;

Author: James W. Cooper and John E. Daniel

Statutory Authority: Code of Alabama 1975, Secs. 22-28-14, 22-22A-5, 22-22A-5, 22-22A-6, and 22-22A-8.

History: Effective date: January 18, 1972.

Amended: July 26, 1972, November 21, 1996, September 25, 1997, September 7, 2000,

	Date Submitted to EPA	Date Approved by EPA	Federal Register
1 st Revision	OCT 31, 1989	MAR 19, 1990	55 FR 10062
2 nd Revision	OCT 30, 1996	AUG 05, 1997	62 FR 30991
3 rd Revision	AUG 28, 1997	JAN 07, 1998	63 FR 674
4 th Revision	AUG 16, 2000	DEC 08, 2000	65 FR 76938
5 th Revision	FEB 23, 2005	DEC 28, 2005	70 FR 76694

335-3-3-.02 Incinerators.

- (1) Incinerators shall be designed and operated in such manner as is necessary to prevent the emission of objectionable odors.
- (2) No person shall cause or permit to be emitted into the open air from any incinerator, particulate matter in the exhaust gases to exceed 0.20 pounds per 100 pounds of refuse charged; provided that: for incinerators of more than 50 tons per day charging rate, particulate matter in the exhaust gases may not exceed 0.10 pounds per 100 pounds of refuse charged. (*Amended July 26, 1972*)
- (3) Emission tests shall be conducted at maximum burning capacity of the incinerator.
- (4) The burning capacity of an incinerator shall be the manufacturer's or designer's guaranteed maximum rate or such other rate as may be determined by the Director in accordance with good engineering practices. In case of conflict, the determination made by the Director shall govern.
- (5) For the purposes of this Part, the total of the capacities of all furnaces within one system shall be considered as the incinerator capacity.

Author: James W. Cooper and John E. Daniel

Statutory Authority: Code of Alabama 1975, Secs. 22-28-14, 22-22A-5, 22-22A-5, 22-22A-6, and 22-22A-8.

History: Effective date: January 18, 1972.

Amended: July 26, 1972

	Date Submitted to EPA	Date Approved by EPA	Federal Register
Original Reg	JAN 25, 1972	MAY 31, 1972	37 FR 10842
1st Revision	OCT 31, 1989	MAR 19, 1990	55 FR 10062

335-3-3-.03 Incineration of Wood, Peanut, and Cotton Ginning Wastes.
(*Amended July 26, 1972*)

- (1) No person shall cause or permit to be emitted into the open air from any incinerator which incinerates wood, peanut, or cotton ginning wastes, particulate matter in the exhaust gases to exceed 0.40 pounds per 100 pounds of material charged. (*Amended July 26, 1972*)

- (2) Emission tests shall be conducted at maximum burning capacity of the incinerator.
- (3) The burning capacity of an incinerator shall be the manufacturer's or designer's guaranteed maximum rate or other such rate as may be determined by the Director in accordance with good engineering practices. In case of conflict, the determination made by the Director shall govern.
- (4) Each incinerator subject to this Part shall be properly designed, equipped, and maintained for its maximum burning capacity and shall be equipped with a temperature recorder which shall be operated continuously with the incinerator; and the temperature records shall be made available for inspection at the request of the director and shall either:
 - (a) be equipped with an underfire forced air system, which shall be electronically controlled to insure that optimum temperature range for the complete combustion of the amount and type of material waste being charged into the incinerator, and a variable damper, or
 - (b) consist of an all-metal shell with a refractory lining, circular furnace, and a built-in cinder catching system for either reburning or other disposition; all primary combustion air shall be supplied under pressure through nozzle openings located around the periphery of the lower furnace; over-fire air shall be provided under pressure through ports which shall be directed downward and tangentially in the same direction as the primary air; cinder collection shall be accomplished by the provision of openings through the shell located above the furnace section. *(Amended July 26, 1972)*
- (5) Each incinerator subject to this Rule shall be properly designed, equipped, and maintained for its maximum rated burning capacity and shall be equipped with an underfire forced air system, an over-fire air recirculation secondary construction system, and variable control damper, all of which shall be electronically controlled to insure the optimum temperature range for the complete combustion of the amount and type of material waste being charged into the incinerator. Each such incinerator shall be equipped with a temperature recorder which shall be operated continuously with the incinerator, and the temperature records shall be made available for inspection at the request of the Director.

Author: James W. Cooper and John E. Daniel

Statutory Authority: Code of Alabama 1975, Secs. 22-28-14, 22-22A-5, 22-22A-5, 22-22A-6, and 22-22A-8.

History: Effective date: January 18, 1972.

Amended: July 26, 1972

	Date Submitted to EPA	Date Approved by EPA	Federal Register
Original Reg	JAN 25, 1972	MAY 31, 1972	37 FR 10842
1st Revision	FEB 15, 1973	APR 23, 1974	39 FR 14338
2nd Revision	OCT 31, 1989	MAR 19, 1990	55 FR 10062